

# Cornerstones of Democracy

*California Courts Enter a New Era  
of Judicial Branch Independence*



JUDICIAL COUNCIL OF CALIFORNIA

2005 ANNUAL REPORT

## Cornerstones of Democracy

*California Courts Enter a New Era of Judicial Branch Independence*



JUDICIAL COUNCIL  
OF CALIFORNIA

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The Judicial Council's 2005 *Annual Report* summarizes the achievements of the California judicial branch as well as key trends in court workload and budget allocations for fiscal year 2004. The online version of the report contains numerous links to the California Courts Web site ([www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)) for more detailed information. A companion online publication, the *Court Statistics Report*, provides detailed 10-year statistical caseload and trend data on a wide variety of court business as well as caseload data for each superior court, the Courts of Appeal, and the Supreme Court.

On the cover: The Larson Justice Center in Indio (Riverside County) became the first trial court facility to transfer from county to state responsibility under the Trial Court Facilities Act of 2002. The transfer was celebrated in October 2004 and is the first of 451 transfers of court facilities that will occur over the next few years.

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# Judicial Council of California 2005 Annual Report

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## Judicial Council of California Members, 2004–2005

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California, County of El Dorado*

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*Judge of the Superior Court of California,  
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Mr. James E. Herman  
*Attorney at Law*

Mr. David J. Pasternak  
*Attorney at Law*

Ms. Ann Miller Ravel  
*County Counsel, County of Santa Clara*

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Mr. Alan Slater  
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Hon. Patricia H. Wong  
*Commissioner, Superior Court of California,  
County of Sacramento*

### ADMINISTRATIVE DIRECTOR OF THE COURTS

Mr. William C. Vickrey

# *Judicial Council Advisory Committees and Task Forces*

## *Administrative Office of the Courts Directors*

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Access and Fairness Advisory Committee  
Administrative Presiding Justices Advisory Committee  
Advisory Committee on Civil Jury Instructions  
Appellate Advisory Committee  
Civil and Small Claims Advisory Committee  
Collaborative Justice Courts Advisory Committee  
Court Executives Advisory Committee  
Court Interpreters Advisory Panel  
Court Technology Advisory Committee  
Criminal Law Advisory Committee  
Family and Juvenile Law Advisory Committee  
Governing Committee of the Center for Judicial  
Education and Research (CJER)  
Judicial Service Advisory Committee  
Probate and Mental Health Advisory Committee  
Traffic Advisory Committee  
Trial Court Presiding Judges Advisory Committee

### TASK FORCES

Appellate Indigent Defense Oversight Advisory  
Committee  
Court Facilities Transitional Task Force  
Legal Services Trust Fund Commission  
Task Force on Criminal Jury Instructions  
Task Force on Judicial Ethics Issues  
Task Force on Self-Represented Litigants

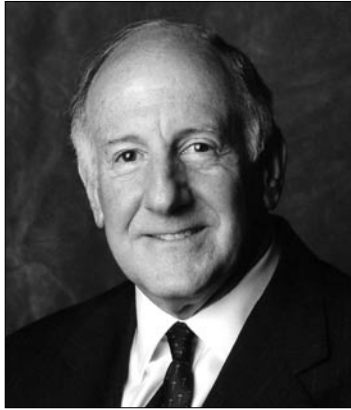
### ADMINISTRATIVE OFFICE

#### OF THE COURTS

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*Chief Deputy Director*  
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Pat Sweeten  
*Director, Executive Office Programs Division and  
Interim Director, Human Resources Division*  
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Karen M. Thorson  
*Director, Education Division/CJER*  
Patricia M. Yerian  
*Director, Information Services Division*

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*Regional Administrative Director, Southern Region*  
Christine Patton  
*Regional Administrative Director, Bay Area/Northern  
Coastal Region*  
Michael Roddy  
*Regional Administrative Director, Northern/Central Region*



RONALD M. GEORGE



WILLIAM C. VICKREY

## State of the Judiciary

### *Message from the Chief Justice and Administrative Director of the Courts*

Dear Friend of the Courts:

The last three years have been among the most difficult for California's economy, testing the ability of government to meet the needs and expectations of the public. Despite grave challenges, through close cooperation with the executive and legislative branches, California's judicial branch not only has survived, but also has made considerable progress in improving service to the public during these difficult times. In addition to enhancing access to the courts for more Californians, essential changes to the judicial branch's budgetary process will provide crucial stability and predictability in funding for the trial courts in the future.

Under the new funding approach, there will be an automatic adjustment to the base

funding for trial court operating costs each new budget year. In addition, beginning with the 2005–2006 fiscal year, the proposed budget for the trial courts will be submitted concurrently to both the Legislature and the Governor, not just to the Governor as was done before. This signals not merely a technical change; the new treatment of the judicial branch's fiscal needs reflects our sister branches' recognition of our commitment and ability to function as a fully realized and cohesive part of our statewide government. The new budgetary approach accords the judiciary the deference and consideration due a coequal branch of government.

California's judicial branch is in the midst of the last of three major reforms—the transfer of ownership and management responsibility for

court facilities from the counties to the state. Along with the shift to state funding of the trial courts and the unification of the superior and municipal courts into a single trial court system, this massive undertaking is designed to improve the condition of California's court facilities and thus help us ensure that justice is administered effectively and accessibly throughout the state. The first property transfer under the Trial Court Facilities Act took place in Riverside County; the conveyance of the Larson Justice Center began the change in ownership and responsibility for 450 court facilities from the counties to the State of California.

Courts and justice require more than sophisticated balance sheets and bricks and mortar, however. The public's trust and confidence in our state's ability to provide fair and objective adjudication of their disputes is critical. To ensure that courts are available to all those who need their services, we have intensified our efforts to improve access to the justice provided in our courts—through innovations such as self-help programs, family law facilitators, and collaborative justice courts. To further enhance both the reality and appearance of fairness and objective decision making, we offer a wide array of educational and informational programs for those who work in the courts and on the bench, and for clerks' offices and other staff. The elimination of bias is integrated into the core curriculum of the Center for Judicial Education and Research, our premier provider of judicial and staff education. In addition to substantive material, courses also provide extensive information on ethics, administrative and managerial responsibilities, and community involvement.

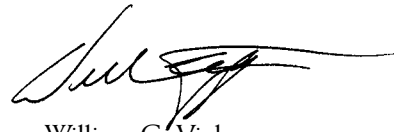


Ronald M. George  
Chief Justice of California and  
Chair of the Judicial Council

Courts are keenly aware that they must be able to meet the changing needs and expectations of the public. Our judicial branch is committed to ensuring meaningful access to justice to all. Under our democratic system of government, our judicial branch is charged with ensuring that the rights of all are protected and that all may turn to the courts to have their rights vindicated. In a world in which emerging democracies look to the United States and its balanced form of government as a model to which they aspire, it is ever more important that we work together to keep our judicial branch strong, independent, and committed to the rule of law. By doing so, we will best serve the public and meet the challenges of the future.

Toward that goal, the Judicial Council, the State Bar of California, and the California Judges Association will be concurrently hosting their conference and annual meetings in September 2005 in San Diego. Leaders of the judicial branch from throughout the state will meet in one location for the first time to participate in one or, for some, all three events: The Judicial Council's Statewide Judicial Branch Conference and the Annual Meetings of both the State Bar and the California Judges Association. These events will provide numerous opportunities to share knowledge and insights on issues affecting the justice system and will contribute to one common goal—strengthening the judicial branch to best serve all Californians.

We look forward to working together with the entire judicial branch and with all those who are committed to moving the administration of justice forward and to fulfilling the promise of equal justice for all.



William C. Vickrey  
Administrative Director of the Courts



## 2004 YEAR IN REVIEW

Entering the year 2004, the outlook for the California judicial branch appeared bleak due to tough economic times and an extremely tight proposed State Budget. Nonetheless, due to the cooperation of leaders in the judicial, legislative, and executive branches, California courts experienced tolerable budget shortfalls. And, most importantly, the third of three major court reforms started to take effect as the state judicial branch took responsibility for the first of 450 court facilities previously under county jurisdiction. This step represents the culmination of a decades-old effort to transform California's courts into a truly coequal third branch of state government and has laid the groundwork for real independence and accountability for branch operations and resources.

This year's highlights include:

- Implementing a plan for the transfer of court facilities from county to state responsibility and proposing a bond measure to renovate, repair, and revitalize California's 450 courthouses;
- Reforming the trial court budgeting process so proposed budgets are submitted concurrently to both the Governor and Legislature and trial court budgets are adjusted automatically each year using the same percentage change applied to other state entities, such as the Legislature;
- Educating the public about the importance of *Brown v. Board of Education*, the 1954 U.S. Supreme Court decision to integrate public schools; and
- Approving a statewide plan to increase court access for self-represented liti-

gants and adopting uniform standards and guidelines for trial court security.

#### **GOAL: INDEPENDENCE AND ACCOUNTABILITY**

One of the six overarching goals set by the Judicial Council for the California court system is to ensure that the judiciary is an institutionally independent, coequal branch of government that responsibly seeks, uses, and accounts for the public resources necessary for its support. The independence of judicial decision making will be protected in large part by the branch gaining control of its resources while accounting to the public for the use of those resources.

## **Fiscal Stability Advanced**

At the start of the year, the judicial branch faced substantial budget cuts that would have severely reduced court operations. With the help of key legislators, the cuts were avoided and the revised budget included almost \$100 million in additional funding for the judicial branch. The budget for the trial courts was increased by 4.4 percent over the previous year and was part of a cumulative 16 percent increase in trial court funding since the 2000–2001 fiscal year.

Significantly, the budget process was revised so that, in future years, trial court budgets will be automatically adjusted based on a percentage change in the state appropriations limit (SAL). In addition, the trial court budget will be submitted concurrently to both the Legislature and the Governor for review, rather than to the Governor initially, then to the Legislature.

The two changes—a budget adjustment process for the trial courts and submitting trial court budgets simultaneously to both the Legislature and the Governor—fully implement 2 of the 14 high-priority objectives adopted by the Judicial Council as part of its three-year operational plan, effective January 1, 2004.

## **Enhanced Accountability Begins**

A system to ensure fiscal accountability was rolled out with the installation of CARS (Court Accounting and Reporting System) in the first 13 of the state's 58 trial courts. The Administrative Office of the Courts (AOC) held a number of training forums to help improve the transition process for future participants. When all the trial courts have made the transition, anticipated to occur by fiscal year 2008–2009, CARS will provide statewide uniform accounting practices. The system also prepares monthly, quarterly, and annual financial reports for the trial courts.

In conjunction with CARS, the Office of Trial Court Accounting and Financial Services has been providing accounting, check processing, and other financial services for 10 courts and, as of the end of 2004, complete services for 5 others. The office, which is staffed by accounting and business services professionals, is responsible for reviewing and processing invoices for payment, providing general accounting and financial services, and assisting and reviewing contractual and purchasing requirements, as well as offering general assistance and training as needed by the courts. By the end of 2005, it is anticipated that a total of 25 trial courts will be supported by CARS and the accounting office.

## **Judicial Council Holds First Public Budget Hearing**

For the first time, the Judicial Council held a public hearing to assess the effect of proposed budget cuts on vital court programs and services. Held in the Hiram W. Johnson State Office Building in San Francisco, the April 23 hearing provided council members with an opportunity to hear directly from the public about the value of various court programs and how reduction or elimination of these programs would affect them in their daily lives.

Testimony came from victims of domestic violence and elder abuse, clients of small claims courts and legal assistance centers, and indi-

viduals who found help in juvenile, drug, and homeless courts. Local court officials also testified about the closure of some court facilities and the reduced operating hours and reduced services at other locations. The information gathered was shared with executive and legislative branch leaders during negotiations for the judicial branch budget.

## Collection Process Implemented

The Judicial Council adopted preliminary state-wide [guidelines and standards](#) to enhance the collection of fees, fines, forfeitures, penalties, and assessments. The guidelines and standards provide a road map for trial courts to use in developing collection programs or enhancing existing programs. Courts collaborated with counties in maximizing collections and providing for a fair and equitable distribution of the collected monies. The program would not bar indigent litigants from using the judicial system to resolve civil disputes, dissolutions of marriage, or support, custody, and other family law matters. The guidelines and standards were developed by the Collaborative Court-County Working Group on Enhanced Collections, whose membership included representatives of the California State Association of Counties, the state Victims Compensation and Government Claims Board, the California Department of Corrections, the California Youth Authority, the Franchise Tax Board, and the State Controller's Office. In fiscal year 2003–2004, the Franchise Tax Board collected \$38.7 million for the court-ordered debt collection program. For fiscal year 2004–2005, they estimate that they will collect over \$63 million. This increase in collections can be attributed to the education and training programs conducted by the Collaborative Court-County Working Group on Enhanced Collections. The working group is continuing these efforts through 2005.

In August, the Governor also signed a bill, recommended by the working group, that permits courts and local governments to accept debit cards and electronic payments, expands

the types of debts eligible for collection, and extends the Franchise Tax Board's court-ordered debt collection program, which was to expire in 2006. The measure, Senate Bill 246, was the first legislative change recommended by the working group.

## Council Seeks Uniform Civil Filing Fees

The council has proposed to sponsor legislation to implement a uniform structure for civil filing fees across the state. The result of months of work by the Court Fees Working Group and negotiations with counties, civil lawyers, law librarians, and other affected groups, the proposal is designed to eliminate the wide variance in civil filing fees in individual courts. The new fee structure also would eliminate the current \$17 million deficiency in the trial court budget. The proposal will be pursued as part of the budget process and is expected to be enacted through trailer bill legislation with a projected effective date of November 1, 2005.

## Security Standards Under Development

Following up on the Legislature's concern about the increase in court security costs, the council approved interim recommendations by its Working Group on Court Security for standards for screening at court entrances. Work continued on developing security-staffing standards for courtrooms, holding cells, and internal transportation, based on factors such as filings, number of court locations, and felony filings. The group also made interim recommendations, adopted by the council, for allocating \$11 million in budget cuts for court security in the 2003–2004 fiscal year and \$22 million in cuts for the 2004–2005 fiscal year. In September, the AOC also jointly sponsored a seminar with the California State Sheriffs' Association in San Diego, where discussion focused on best practices, the handling of high-profile trials, and terrorism.

## Operational Cost Savings Offered

To assist the trial courts in addressing budget reductions and shortfalls in revenue, the Court Executives Advisory Committee's Operational Cost Savings Administrative Working Group and the AOC's Business Services Unit collaborated on the development of master agreements that courts may be able to use in reducing the cost of procuring goods and services such as paper, office supplies, copiers, and online legal services.

## AOC Sponsors Labor Relations Forums

The AOC kicked off forums on labor relations to share information about promising practices and discuss timely issues related to labor and employee relations. Forums were held in Burbank and Sacramento to provide an in-depth overview of labor relations for superior court staff members who are responsible for negotiations with recognized employee unions.

## Change in Judges' Retirement System Sought

In December, the Judicial Council agreed to sponsor legislation in 2005 to amend the Judges' Retirement System II by lowering the minimum age for judges' normal retirement from age 65 to age 63 and reducing the minimum required service from 20 years to 10 years. The purpose is to increase the branch's ability to attract judicial candidates, whose average age has been increasing in recent years, and to provide them with a reasonable incentive to continue serving. With the average age of new judges being 50, instead of 45.5 as in the past, this proposal would relieve new judges from having to serve until age 70 to qualify for retirement benefits.

## Ethics Code for State Judges Revised

The California Supreme Court adopted revisions to the California Code of Judicial Ethics, which prohibit subordinate judicial officers from practicing law while serving in that capacity. The changes also clarify that retired judges who are members of the Assigned Judges Program may not use their title to further a business or commercial venture, including a private dispute resolution firm. Another change allows judges on leave while running for another public office to use their titles in describing themselves. A new canon prohibits appellate justices from hearing certain matters if they have had employment discussions or an arrangement for prospective employment with a dispute resolution service and that service is a party to the proceeding, or the matter involves enforcing an agreement to submit the matter to alternative dispute resolution (ADR) or the appointment or use of an ADR neutral.

### **GOAL: MODERNIZATION OF MANAGEMENT AND ADMINISTRATION**

One of the primary goals of the judicial branch is to ensure that justice will be administered in a timely, efficient, and effective manner that utilizes contemporary management practices; innovative ideas; highly competent judges, other judicial officers, and staff; and adequate facilities. Part of that effort is taking responsibility for court facilities and developing a revenue source for construction of new facilities and renovation and repair of existing facilities, as well as for ongoing maintenance and operations.

## First Court Facility Transferred

In 2004, the first trial court courthouse was transferred to state responsibility under the Trial Court Facilities Act of 2002. The Larson Justice Center, one of the most modern courthouses of the Superior Court of Riverside County, became the first trial court facility out of more than 450 in California to transfer from county to state

ownership and maintenance. The facilities act is the third and final part of a dramatic reform of California's courts, following on the heels of state funding of the trial courts and unification of the superior and municipal courts into a single trial court per county. The facilities act is designed to ensure that all residents throughout the state have equal access to safe, secure, and adequate court facilities, many of which are now in a state of disrepair. As part of this monumental reform, the Judicial Council agreed in December to sponsor legislation to place a bond measure before California voters on the November 2006 ballot. The bond measure would provide the funds to renovate, repair, or replace deteriorating courthouses.

## AOC Reports on Courthouse Seismic Safety

As part of the process for transferring ownership and management responsibility for California's court facilities from the counties to the state, the AOC completed a preliminary report on the seismic safety of these structures. Under the Trial Court Facilities Act of 2002, structural engineers must evaluate court facilities prior to transfer. Buildings found to have high seismic-risk levels are not eligible for transfer until provisions are made to correct the deficiencies. The act provides exemptions from the structural assessment for buildings that were constructed in conformity with the 1988 Uniform Building Code or upgraded since 1988, buildings where only a small part of the structure is used by the court, and structures that are leased, modular, or used only for storage. Of the remaining 225 facilities, 72 achieved an acceptable seismic safety rating while 147 did not and 81 required further evaluation.

The information provided by the structural assessments will allow the state and the counties to address the identified conditions, as well as to evaluate the costs and benefits of seismic upgrades, during discussions about the transfer of court facilities through June 30, 2007.

## Supreme Court Allows Multijurisdictional Practice

The Supreme Court adopted rules that permit the limited practice of law in California by attorneys who are licensed in other jurisdictions but not in California. The new rules do not allow unlimited practice in California by out-of-state lawyers. But they do allow in-house counsel and legal services lawyers to register to practice in California and also allow attorneys anticipating litigation in California or nonlitigation lawyers temporarily in California to provide limited legal services. Lawyers in all four categories must agree to be subject to the jurisdiction of the State Bar Court.

## Revisions Streamline Appellate Rules

The Judicial Council approved the fourth and final installment of its six-year project to reorganize and streamline the appellate rules of court. The revisions simplified the wording and clarified the meaning of these rules, restructured them into subdivisions to promote readability and understanding, and made some selected substantive changes to resolve ambiguities, fill gaps in the rules, and conform old rules to current law, practice, and technology.

## Council Adopts Facility Governance Rules

The council adopted rules of court to govern the system for decision making, operation, capital improvement, and construction of appellate and trial court facilities. The rules set out the respective roles of the Judicial Council, the appellate and trial courts, and the Administrative Office of the Courts; establish a temporary internal council committee to review matters related to facilities before they are submitted to the council; and establish an interim task force to advise the council and the Administrative Office of the Courts on facilities issues. These rules implement the Trial Court Facilities Act of 2002 and related laws concerning appellate court facilities.

## CLIENT CONFIDENCES

The California Supreme Court addressed the troubling issue of when attorneys should disclose confidential information from clients that could involve life-threatening situations. Under the rule adopted by the court, an attorney is allowed—but not required—to reveal confidential client information that the attorney believes is reasonably necessary to prevent a criminal act likely to result in death or substantial bodily harm to an individual. The rule imposes on the attorney an obligation to attempt to dissuade the client from the criminal act, to inform the client of the decision to disclose confidential information, and to disclose no more than is necessary to prevent the criminal act.

## 2004 Legislative Highlights

The AOC Office of Governmental Affairs tracked hundreds of bills of interest to the judicial branch. In addition to advocating on the council's behalf for or against the bills of others, the office also advocated for and guided measures sponsored by the Judicial Council. In 2004, six Judicial Council-sponsored bills were signed into law. In addition to the improvements in the budgeting process mentioned in other sections of this report, key measures that succeeded were:

- Assembly Bill 129 (Cohn) allows a minor to be designated as both a ward of the juvenile court and a dependent child. This dual status would allow minors who meet specific criteria to benefit from the intervention of the delinquency and dependency systems. The authorizing legislation also requires the Judicial Council to collect data and evaluate the results of this protocol.
- Assembly Bill 1306 (Leno) allows a superior court to transfer jurisdiction

over a defendant granted probation under Proposition 36 to the defendant's county of permanent residence, thus ensuring close, effective probation supervision.

- Assembly Bill 3078 (Assembly Committee on Judiciary) revises the deadlines for service and filing of motion papers, clarifies the cutoff date for discovery in civil cases, clarifies that emancipated minors may be a party in small claims court, and ensures that a party or the party's attorney is notified when a check for a filing fee has been returned for nonpayment or is in an amount less than the required fee.
- Assembly Bill 3079 (Assembly Judiciary Committee) authorizes the compensation of retired subordinate judicial officers sitting on assignment in a manner similar to retired judges, eliminates appellate fees in specified mental health and juvenile cases, provides Court Appointed Special Advocates with access to a social worker's complete report to a court, and allows extension of temporary restraining orders that would otherwise expire during court emergencies.
- Senate Bill 246 (Escutia) permits courts and local governments to accept debit cards and electronic payments, expands the type of debts eligible for collection, and makes permanent the Franchise Tax Board's court-ordered debt collection program, which was to sunset in 2006.
- Senate Bill 749 (Escutia) establishes the Court Facilities Architecture Revolving Fund for court construction projects, amends the process for calculating utility costs for payment to the counties, and extends the deadline for the Judicial Council to adopt a rule of court regarding appeals of child placement decisions following termination of parental rights.



As president of the Conference of Chief Justices (CCJ), California Chief Justice Ronald M. George (front row, center) presided over the annual meeting of the CCJ, held in San Francisco in January 2004. Participants discussed the problems that electronic discovery has created vis-à-vis the fairness and cost of judicial proceedings, the implications for state court judgments created by foreign treaties such as the North American Free Trade Agreement (NAFTA), and principles of effective governance and accountability for the judicial branch. Chief Justice Shirley Abrahamson of Wisconsin succeeded Chief Justice George in July.

#### GOAL: QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC

The council's vision is one in which judicial branch services will be responsive to the needs of the public and will enhance the public's understanding and use of and its confidence in the judiciary. Key to promoting public understanding is educating the public about the fundamental role that the judicial branch plays in the development of our society.

### Approaches to Families, Children, and the Courts Studied

The AOC Center for Families, Children & the Courts (CFCC) sponsored the Family Violence and the Courts 10th Anniversary Conference in San Francisco. Roughly 350 court leaders, judges, and family court professionals focused on assessing and enhancing the courts' response in domestic violence cases.

CFCC also participated in the development of an automated interface between the Department of Child Services' Child Support Services Program and the judicial branch's California Case Management System to improve the collection of financial support for the state's children.

### Dependency Counsel Pilot Program Launched

The Judicial Council approved a voluntary program in which 10 courts will test proposed caseload standards for attorneys who represent children and parents in dependency cases. The pilot program will allow courts to test distinct approaches to addressing disparities in attorney compensation and workloads around the state. A two-week study recommended a maximum caseload of 141 cases per full-time attorney as compared to the current statewide average

Michelle Prock, director of the Superior Court of Fresno County's Mario G. Olmos Children's Waiting Room, plays with a 3-year-old visitor. The late Judge Olmos, who served on Fresno's bench for 15 years, advocated for a safe, nurturing, and protective environment where young children can wait while their parents conduct business at court.



caseload of 273. The pilot program is being overseen by a committee, which will share its recommendations with both the participating pilot courts and nonparticipating courts.

The council also adopted a resolution in support of the recent report of the Pew Commission on Children in Foster Care, which included a comprehensive plan that focused on flexible federal financing to encourage more permanent placement options for abused and neglected children and on court reforms that would give children a higher priority in the judicial system.

## Collaborative Justice Courts Concepts Explored

A study on expanding the principles and practices of collaborative justice courts was released in 2004. A joint project of California's Administrative Office of the Courts and the Center for Court Innovation of the New York State Unified Court System, the study explored which principles and practices are easiest to transfer within the larger court system and how judges might overcome barriers that may arise when transferring those concepts.

In 2004 Governor Arnold Schwarzenegger recognized the importance of drug courts by declaring May as Drug Court Month in California. The Governor applauded the state's 150 drugs courts for integrating criminal justice, treatment services, educational opportunities, and community partnerships in a collaborative effort to break the devastating cycle of drug and alcohol addiction and dependence. Several California courts celebrated by holding graduation programs, special presentations, and training sessions to showcase the merits of their drug court programs.

The California Association of Drug Court Professionals held its first annual training conference at the end of April. The conference, held in Rancho Cordova, was extremely well attended by drug court and treatment professionals from several California counties. The Building for the Future conference focused primarily on providing information, ideas, and strategies for managing drug courts amidst increasing state and local fiscal constraints.

The Collaborative Justice Courts Program started a new outreach initiative with collaborative justice courts to enable similar courts to benefit from the experiences of their peers. The

first two conference calls focused on homeless and community courts. The initiative gathers like-minded practitioners in a forum where they can ask questions, brainstorm about new innovations being designed and implemented, and disseminate timely information on program and policy innovations.

## Restorative Justice Extended

The AOC launched the California Community Justice Project, an effort to enhance awareness and understanding of the concept of restorative justice among the courts. Under this approach, a crime is viewed as an offense against the community, which includes the victim and offender, rather than against the state. Victims are empowered to ensure their needs and feelings are met and resolved while offenders are required to accept responsibility for their crimes and take an active role in repairing the damage caused. Through exposure to crime prevention programs, the offenders develop a better understanding of the consequences of their actions and the skills to make better decisions in the future. The AOC provided trainings in nine counties that have a proven commitment to restorative justice practices.

## Mediation Programs Benefit Litigants and Courts

[A study](#), prepared by the Administrative Office of the Courts, of early mediation programs in five superior courts across the state found that all five were successful, resulting in substantial benefits to both litigants and the courts. These benefits included reductions in trial rates, case disposition time, and the courts' workload; increases in litigant satisfaction with the courts' services; and decreases in litigant costs in cases that resolved at mediation in some or all of the participating courts. Out of nearly 8,000 civil cases submitted to early mediation in the five pilot courts, approximately 60 percent were settled as a direct result of the mediation. By helping litigants in more cases reach resolution

without going to trial, these pilot programs saved a substantial amount of court time. In addition, in all five pilot programs, attorneys in the cases filed in 2000 and 2001 that settled at mediation estimated that the clients saved a total of more than \$49.4 million in litigation costs as a result of using mediation to reach settlement. The Judicial Council forwarded the report to the Governor and the Legislature and affirmed its support for expanding the mediation programs for civil cases to all trial courts as part of their core operations. For its distinguished contribution to the field of dispute resolution, the report won an award for outstanding practical achievement from the CPR Institute for Dispute Resolution in New York City.

## More Jury Reform Milestones Achieved

In continuing efforts to make jury service easier for citizens, a model juror summons, developed by the Task Force on Jury System Improvements and reviewed by focus groups and tested successfully in four pilot courts, is being implemented by a new Judicial Council working group of trial courts. The Model Juror Summons Implementation Working Group is endeavoring to encourage the statewide voluntary use of the model summons, which is designed to help potential jurors better understand their obligations and to encourage them to participate in the jury system. Working group member courts collaborated toward adopting the same summons form for use in different counties.

In addition, the AOC has distributed over \$8 million from the Judicial Administration Efficiency and Modernization Fund since 2000–2001 to assist courts in upgrading their jury management systems. Considerable assistance was provided to the trial courts to upgrade and enhance their systems to meet the requirements of one-day or one-trial legislation. Benefits made possible with this funding include compliance with one day or one trial, as well as Web and IVR (interactive voice response) upgrades

to systems to accommodate citizens called for jury service. As a result of these upgrades, some courts have reported that 60 to 80 percent of routine juror inquiries and transactions are now processed via the Web or IVR, freeing staff to handle complex matters and providing round-the-clock access for jurors. In fiscal year 2002–2003, courts also received funding to allow their systems to process juror checks, reducing reliance on county financial services and providing more prompt payment to jurors. In fiscal year 2003–2004, funding was provided to 11 courts to complete their IVR and Web upgrades and to add the check-writing module.

The Judicial Council also approved revisions to the standard jury instructions given in civil cases. These 40 revisions update the approximately 800 civil jury instructions and special verdict forms that were approved by the council in July 2003 and are based on new developments in the law and comments from judges, lawyers, and staff and members of the Advisory Committee on Civil Jury Instructions. The changes are part of the Judicial Council's long-range plan to improve the California

jury system by developing "plain English" jury instructions that are designed to be more comprehensible to jurors while accurately stating the law. The Task Force on Criminal Jury Instructions circulated many of its proposals for public comment during 2004 and is expected to submit its final set of instructions in 2006.

## Courts Unified for Families

As part of its efforts to assist local courts in serving families with multiple cases in the legal system, the Center for Families, Children & the Courts issued a comprehensive desk book offering a variety of suggested approaches for coordinating and better managing cases involving the same family. The desk book is one component of a program that includes six mentor courts that are studying various strategies for the coordination of related family law cases. The mentor courts have completed reports for the first year of their three-year project, which will be used to provide information to other courts seeking to implement various unified family court approaches.



Judge Frederic L. Link of the Superior Court of San Diego County provides instructions to the jury prior to the start of closing arguments in a 2004 murder trial. Jury instructions are being improved through utilizing "plain English" language that is more understandable to ordinary citizens.



Judge Peter C. Deddeh of the Superior Court of San Diego County shakes hands with a participant in a special program designed to meet the unique needs of homeless people. Through the homeless court, individuals can have their records cleared so that they can qualify for certain housing programs, job training, and addiction treatment.

## SAN DIEGO HOMELESS COURT RECOGNIZED

A collaborative effort involving the Superior Court of San Diego County, the San Diego County Public Defender's Office, the Office of the District Attorney, the Office of the City Attorney, and providers of services to homeless people has become one of 15 finalists for an Innovations in Government Award, given by the Ash Institute for Democratic Governance and Innovation at Harvard University Kennedy School of Government in partnership with the Council for Excellence in Government. The program allows defendants to resolve their legal issues in a more convenient, less threatening setting than a courtroom and rewards defendants for making progress in job training, substance abuse recovery, and other social service programs.

## CASA Program Goals Set

Statewide, all 40 Court Appointed Special Advocate (CASA) programs converted to one of two standardized data collection systems. The data systems will ensure that each program will be able to track data for at least two federally identified child welfare outcomes: the number of placement changes and the rate of compliance with sibling visitation orders experienced by dependent children served by CASAs. CASA volunteers are appointed by the court to provide one-on-one advocacy for juvenile dependents.

### DUI EDUCATION OFFERED

The Superior Court of Los Angeles County and the Claremont Police Department cosponsored a program in which seven actual “driving under the influence” (DUI) trials were held in the county, including at Claremont High School. The trials were part of a countywide effort to focus attention on the consequences of drinking and driving.

### GOAL: ACCESS, FAIRNESS, AND DIVERSITY

All Californians will have equal access to the courts and equal ability to participate in court proceedings, and will be treated in a fair and just manner. Members of the judicial branch community will reflect the rich diversity of the state’s residents.

## Integration Ruling Examined

The Judicial Council and the Administrative Office of the Courts celebrated the 50th anniversary of the U.S. Supreme Court’s landmark decision in *Brown v. Board of Education* with a series of events aimed at educating the public about the importance of this ruling barring racial segregation in public education. In addition to an interactive, historical exhibit on the civil rights movement in the Hiram W. Johnson State Office Building in San Francisco, an education program featuring experts on the decision was broadcast by satellite to courts across the state. In May, the council also sponsored a symposium in Sacramento on the significance of the decision.

## Plan to Help Self-Represented Litigants Endorsed

The council approved a comprehensive, statewide plan to assist the increasing number of litigants who represent themselves. The plan, developed by the Task Force on Self-Represented Litigants,

California courts celebrated the 50th anniversary of the U.S. Supreme Court’s 1954 landmark decision in *Brown v. Board of Education* with, among other events, a historical exhibit entitled “The Long Walk to Freedom,” which was on display in the Great Hall of the Hiram W. Johnson State Office Building in San Francisco.



endorses the use of court-based, attorney-supervised self-help centers, as well as the development of both strategies to help these litigants manage their cases at all stages and partnerships between the courts and other governmental or community-based legal and social service organizations to provide a comprehensive array of services.

In a related move, the AOC cosponsored the first National Conference on Community-Based Access to Justice, an effort by judges, court employees, legal services workers, self-help center staff, law librarians, and community agency representatives to expand legal services for low-income residents. The conference was designed to give participants the tools they need to develop self-help centers in the neighborhoods where people need legal services the most.

## California JusticeCorps Gets Under Way

Nearly 100 college students pledged themselves as volunteers with the California JusticeCorps, a novel program that offers self-represented litigants assistance with such tasks as filling out court forms correctly. Each student agreed to commit 300 hours during the academic year to providing assistance in 10 self-help legal centers. Funded by an AmeriCorps grant, JusticeCorps is a collaborative project of the Administrative Office of the Courts, the Superior Court of Los Angeles County, the Los Angeles County Department of Consumer Affairs Small Claims Advisor, and four universities—California State University at Northridge, California State University at Dominguez Hills, the University of California at Los Angeles, and California State Polytechnic University at Pomona. Three legal aid organizations also are assisting.

## Court Interpreters Convene

The first AOC-sponsored court interpreter conference was held in Universal City to build a sense of community and shared vision among interpreters. Almost 400 participants attended,

and over 30 presenters and volunteers provided workshops, including a plenary session on voice preservation and a judicial panel on confidentiality issues. The AOC also conducted an ethics workshop for more than 40 newly certified and registered interpreters in Southern California.

In addition, an enhanced version of the Court Interpreter Data Collection System is helping the state judicial branch track and retrieve information on court interpreters, including contact information, number of cases interpreted, and updates on registration and compliance status. The system can also perform analyses and provide reports on statewide interpreter usage that are required by the Legislature.



California Supreme Court Justice Ming W. Chin welcomes volunteers to California JusticeCorps, a program based in Los Angeles that offers self-represented litigants assistance with such basic tasks as filling out court forms.

Stephanie Choy, executive director of the Public Interest Clearinghouse in San Francisco, spoke in August 2004 at the launch of a new Web site that provides online legal information on a variety of topics to Californians who cannot afford an attorney.



## New Online Legal Services Provided

The Public Interest Clearinghouse launched a new Web site in August to provide substantive legal information to Californians who cannot afford an attorney and need help navigating the state and federal legal systems. The new site, [www.LawHelpCA.org](http://www.LawHelpCA.org), is unique in offering the public help with federal law, in areas such as immigration, bankruptcy, disability, and civil rights, and also has special features for seniors and Native Americans.

The site is linked to and complements the California Courts Online Self-Help Center, which celebrated its third anniversary of providing services to the public, including common legal forms that can be filled out online and video tips on how to serve court papers.

## INTERNET ACCESS TO COURT RECORDS ALLOWED IN EXTRAORDINARY CRIMINAL CASES

To assist trial courts in handling demands for access to court records in high-profile criminal cases, the Judicial Council initially adopted an interim rule providing for Internet access in situations where the extraordinary demand for these records significantly burdened court operations. Local courts that were inundated with information requests in several high-profile cases successfully used the interim rule. Later, the council replaced the interim rule with a permanent rule allowing the public and the media Internet access to court records in "extraordinary criminal cases" where the requests for access to these documents are extraordinarily numerous and would significantly burden court operations. The rule provides that the trial court should redact sensitive personal information from criminal case records to which it allows remote access, including driver's license numbers, dates of birth, social security numbers, and home addresses of parties, victims, and witnesses, as well as medical or financial information. This rule is an exception to the general rule that in criminal cases, court records will not be available on the Internet, but only at the courthouse.

#### GOAL: TECHNOLOGY

Technology will enhance the quality of justice by improving the ability of the judicial branch to collect, process, analyze, and share information and by increasing the public's access to information about the judicial branch. Using technology will assist the courts in handling ever-increasing caseloads during a time of scarce resources.

### Case Management System Progresses

The California Case Management System (CCMS) is a multiyear effort with two phases currently under way—development of a criminal and traffic module, and a civil, probate, and small claims module. CCMS will manage all case types for all California trial courts and will operate out of the California Courts Technology Center.

The criminal and traffic system initially developed by the Superior Courts of Ventura and Orange Counties was installed at the California Court Technology Center in July. A project director was hired and a deployment services office established in Southern California. Deployment planning began in August while the six lead courts, the Superior Courts of Sacramento, Alameda, Ventura, Orange, Los Angeles, and San Diego Counties, continued to move CCMS toward implementation of the traffic and criminal module at the Superior Court of Alameda County in mid-2005. In January 2004, the AOC began design and development of the second CCMS module, for civil, small claim, and probate case types. By December, the vendor had delivered the three major design deliverables, i.e., computer programs that run the CCMS modules.

Progress also continues on the Appellate Court Case Management System (ACCMS), scheduled for deployment in the second quarter of 2005. This is a collaborative effort between the Supreme Court, the Courts of Appeal, and the AOC Information Services Division and will result in a Web-enabled system for tracking case information across the appellate courts. The new

system will facilitate the use of standards for electronic communication among the trial courts, the appellate courts, and justice partners.

### Courts Upgrade Telecommunications/Security Infrastructure

The telecommunications project, begun in 2002, continued in 2004 to upgrade courts in order to create a standard infrastructure for communication among the courts, technology centers in the judicial branch, the Administrative Office of the Courts, and other justice partners. To date, 38 courts have completed telecommunications upgrades in support of the technology infrastructure set forth by the Judicial Council. The telecommunications project addresses cabling, network hardware and software, circuits, network security, and training. The benefit to the courts is that their networks have become more stable and can deliver information more efficiently and securely.

#### E-FILING EXPANDS

By the end of 2004, 36 of California's 58 superior courts had joined the Superior Court of San Mateo County's expanding EZLegalFile system for filling out family law forms online. Forms are also available in nearly all the same counties for unlawful detainers, small claims, guardianships, and domestic violence cases.

In addition, 7 trial courts now accept filings electronically over the Internet for a variety of proceedings, including civil cases, small claims, juvenile delinquency, and some criminal and complex litigation matters. And 14 courts have projects to allow payment of traffic citations electronically.

## GOAL: EDUCATION

The effectiveness of judges, court personnel, and other judicial branch staff will be enhanced through high-quality continuing education and professional development.

### AOC Provides New and Updated Learning Tools

Providing quality, branchwide education to judges, court personnel, and other judicial branch staff is essential to meet the evolving and increasingly complex demands of the public for justice that fits their unique circumstances and needs.

During 2004, the AOC Education Division/Center for Judicial Education and Research (CJER) delivered more than 100 conferences, seminars, and institutes for judges and court personnel, ranging from one day to two weeks in length, and with many including a variety of courses. In addition, the division delivered more than 100 broadcasts to the courts. Within those activities, several new approaches and products were initiated.

Use of the AOC regional offices emerged as a prime delivery approach, with more than 25 courses offered in the regional offices and 500 individuals participating. Regional education programs for court managers, supervisors, and clerks covered a wide range of topics, including many courses traditionally offered only at the ongoing annual Court Clerk Training Institute. Regional programs were also introduced for appellate judicial attorneys.

Distance education made great strides. Broadcasting became a new delivery mechanism for training for presiding judges and court executives with the introduction of the *Presiding Judges and Court Executives Roundtable* series, a quarterly program focusing on a variety of relevant issues. A first-time broadcast partnership was developed with the federal courts of California regarding jury issues; the broadcast downlink sites were in the federal court buildings. And a first-time broadcast was delivered for the qualifying ethics elective component. A Web-based

course in juvenile dependency became the first of a series of online courses based on substantive areas of the law and was accessed by more than 200 judges. And training materials for court clerks were posted in an online, searchable format.

During 2004, the Education Division also provided more than 90 courses for the professional development of the more than 500 AOC employees. The courses, offered through the Staff Training and Resources (STARs) program, enable AOC managers, supervisors, and staff to meet orientation, continuing education, and compliance training requirements.

During 2004, a new criminal jury instructions handbook was published, providing California judges with a comprehensive update of the law for determining quickly and correctly what jury instructions they must give in criminal cases. Also published was a revised judges' guide to domestic violence cases and an online guide to reference works written by California judicial officers on numerous specialized topics.

The AOC Center for Families, Children & the Courts contributed significantly to these efforts by offering judicial education on permanency issues, such as concurrent planning and termination of parental rights, and on the federal Indian Child Welfare Act. Other recurring educational programs included a multidisciplinary juvenile dependency and delinquency conference, a family violence conference, a educational program on violence against women, and a sexual assault forum.

## Local Courts Use Online Services to Spread Information

### SAN MATEO LAUNCHES NEWSLETTERS

The Superior Court of San Mateo County launched an online newsletter in March aimed at keeping local bar association members informed about changes in court procedures, judicial assignments, standing orders, and calendars. The court followed that with a separate newsletter on its Web site in October directed at the general public and providing information about online traffic services, jury outreach, and judge visits to local high schools.

### San Francisco Uses Intranet to Educate Staff

The Superior Court of San Francisco County uses its Intranet to provide useful information

and online training to judicial officers, managers, and other staff. In addition to court telephone numbers and outside agency telephone numbers, the site provides help files for courtroom clerks and staff that detail procedures for handling most common cases.

The Americans With Disabilities Act (ADA) compliance page of this site has been by far the most popular. It is accessed daily by court staff to aid them in accommodating persons with disabilities. There is a Frequently Asked Questions page with links to AOC publications on the ADA. The court is also using the ADA page to train staff in ADA compliance.

The Intranet also provides the latest information on statutes and rules of court, which change periodically, so it is important that court staff have access to the latest versions when assisting court customers.

**San Mateo County Superior Court**

**COURTNEWS**  
AN ONLINE NEWSLETTER TO THE CITIZENS OF SAN MATEO COUNTY

HON. MARK R. FORCUM  
PRESIDING JUDGE

HON. GEORGE A. MIRAM  
ASSISTANT PRESIDING JUDGE

**October 14, 2004**

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**E-DELIVERY—THE SAN MATEO SUPERIOR COURT SERVING YOU**

Our Court created the extremely innovative EZLegalFile program, which allows you to fill out court forms online. This user-friendly system simplifies and makes easier the filing of forms in the areas of Family Law, Small Claims, Housing, and Guardianships. This year, the Administrative Office of the Courts recognized EZLegalFile for excellence in innovation. Our administration, consistent with its goal of making the court system more user friendly and economical, has now implemented e-delivery to allow for the electronic submission of court forms and payment of filing fees. Once e-delivered, court forms are filed and an endorsed filed copy is returned to the user. This enhancement is now being successfully used in small claims and eviction filings in the San Mateo County Superior Court.

By the end of the year, we hope to have a similar e-delivery system for family law, guardianships and general civil cases. E-delivery is a tremendous advancement. It removes the need to come to the courthouse to file your papers, which, in turn, cuts down on the expense and time wasted driving, parking and waiting in line. E-delivery also helps everyone as it helps save valuable taxpayer dollars by increasing efficiency in court operations. Usage of Internet-based systems like this reduce reliance on clerical staff processing papers.



## *Honors and Awards*

### EDWARDS RECEIVES REHNQUIST AWARD

Santa Clara Superior Court Judge Leonard P. Edwards received the 2004 William H. Rehnquist Award for Judicial Excellence from the National Center for State Courts. One of the most prestigious judicial awards in the country, the award honored Edwards for implementing dependency court mediation, family group conferencing, and one of the country's first dependency drug-treatment courts.

### JOHNSON WINS ACCESS TO JUSTICE AWARD

Earl Johnson, Jr., Associate Justice of the Court of Appeal, Second Appellate District (Los Angeles) received the Benjamin

Aranda III Access to Justice Award for his leading role in developing a national legal services program in the 1960s and 1970s, which included drafting the proposal that led to the creation of the federal Legal Services Corporation in 1974.

### HOUGH RECEIVES FAY STENDER AWARD

The California Women Lawyers presented the Fay Stender Award to Bonnie Rose Hough, who has devoted her professional life to helping poor and moderate-income women without lawyers gain access to the family courts. She has facilitated the development of family law information centers, as well as the development of six pilot self-

help family law projects around the state. The award is given in memory of Fay Stender, a Bay Area attorney who devoted her professional life toward fighting for the rights of prisoners.

### COMMUNICATIONS OFFICE WINS TWO AWARDS

The AOC's Office of Communications was honored with a gold award for *California Courts News*, the half-hour video newsmagazine distributed by satellite each month to California court professionals. *Court News*, the bimonthly print newsmagazine, was recognized with a silver award. Both awards were presented by the State Information Officers Council.

## Reports and Studies

The following publications, along with many others from previous years, were released during 2004 and are available on the California Courts Web site ([www.courtinfo.ca.gov](http://www.courtinfo.ca.gov)):

- *Evaluation of the Early Mediation Pilot Programs* (February). A report about five civil mediation programs in California: three mandatory programs operating in the superior courts in Fresno, Los Angeles, and San Diego counties and two voluntary programs operating in the superior courts in Contra Costa and Sonoma counties. These five programs were implemented under a statutory mandate, which authorized early referrals to mediation. Based on the criteria established by the legislation, all five of the programs were successful, resulting in substantial benefits to both litigants and the courts. These benefits included reductions in trial rates, case disposition time, and the courts' workload; increases in litigant satisfaction with the court's services; and decreases in litigant costs in cases that resolved at mediation in some or all of the participating courts. [www.courtinfo.ca.gov/reference/documents/empprept.pdf](http://www.courtinfo.ca.gov/reference/documents/empprept.pdf)

- *Statewide Action Plan for Serving Self-Represented Litigants* (February). A plan for establishing court-based, staffed self-help centers, supervised by attorneys, to increase access to the courts; for incorporating and budgeting for

strategies to serve self-represented litigants as core court functions; and for creating partnerships between the courts and other governmental and community-based legal and social service organizations to serve this community. [www.courtinfo.ca.gov/reference/documents/selfreplitrept.pdf](http://www.courtinfo.ca.gov/reference/documents/selfreplitrept.pdf)

- *Collaborative Court-County Working Group on Enhanced Collections Report* (August). A report on efforts to improve the collection of court-ordered fines and penalties, with guidelines and standards for use by courts and counties in creating or enhancing their collections programs. [www.courtinfo.ca.gov/courtadmin/jc/documents/reports/os04item5.pdf](http://www.courtinfo.ca.gov/courtadmin/jc/documents/reports/os04item5.pdf)

- *Use and Cost of References in General Civil Cases* (August). A report to the Legislature on the use of references, particularly discovery references; the time spent by referees in fulfilling their appointments; and the fees charged to litigants for referees' services. [www.courtinfo.ca.gov/reference/documents/refrept.pdf](http://www.courtinfo.ca.gov/reference/documents/refrept.pdf)

- *Final Report and Proposed Rules of the California Supreme Court Multijurisdictional Practice Implementation Committee* (March). A report on proposed rules (subsequently adopted, see page 7) to expand the circumstances under which attorneys licensed to practice law in jurisdictions in the United States other than California are permitted to practice law

in California. [www.courtinfo.ca.gov/reference/documents/mjpfinalrept.pdf](http://www.courtinfo.ca.gov/reference/documents/mjpfinalrept.pdf)

- *Client Feedback in California Court-Based Child Custody Mediation* (April). An update on a survey of parents regarding their experiences in court-based child custody mediation. [www.courtinfo.ca.gov/programs/cfcc/pdffiles/clientfdbk.pdf](http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/clientfdbk.pdf)

- *California Juvenile Statistical Abstract* (April). A compilation of statewide data about children and families involved in the courts and with related institutions. It consists of representative, reliable statistics from a wide variety of governmental and nongovernmental sources. [www.courtinfo.ca.gov/programs/cfcc/programs/description/CJSA.htm](http://www.courtinfo.ca.gov/programs/cfcc/programs/description/CJSA.htm)

- *Programs for Children of Separating Parents: Literature Review and Directions for Future Research* (April). A review of 14 published evaluations of program interventions for children whose parents are divorcing or separating. The interventions seek to improve children's adjustment to their families' changed situations. [www.courtinfo.ca.gov/programs/cfcc/pdffiles/ResUpKidsProg.pdf](http://www.courtinfo.ca.gov/programs/cfcc/pdffiles/ResUpKidsProg.pdf)

- *Statewide Uniform Statistical Reporting System 2003 Client Baseline Study: Summary Findings* (June). A survey of the parents and mediators in all court-based child-custody mediation sessions in California during the week of October 20–24, 2003, with statistics on the mediation process,

## Reports and Studies

client demographics, and issues raised during the process. [www.courtinfo.ca.gov/programs/cfcc/pdf/files/snapshot2003.pdf](http://www.courtinfo.ca.gov/programs/cfcc/pdf/files/snapshot2003.pdf)

- *Analysis of Stakeholder Data and National Trends* (August). A report prepared to assist the Judicial Council during its 2004 planning session, summarizing issues facing California's trial courts, national and state trends likely to affect the branch in the future, and opportunities for collaboration with the State Bar of California. [www.courtinfo.ca.gov/reference/documents/dataandnatl.pdf](http://www.courtinfo.ca.gov/reference/documents/dataandnatl.pdf)

- *Report to the Legislature on Superior Court Purchase and Lease of Electronic Recording Equipment*

(December). A report on all purchases and leases of electronic recording equipment that will be used to record superior court proceedings, covering the superior court in which the equipment will be used; the types of trial court proceedings in which the equipment will be used; the cost of purchasing, leasing, or upgrading the equipment; and the type of equipment purchased or leased. [www.courtinfo.ca.gov/courtadmin/jc/documents/reports/1204item13.pdf](http://www.courtinfo.ca.gov/courtadmin/jc/documents/reports/1204item13.pdf)

- *Report to the Department of Finance on Service of Process Fees Billed to the Trial Courts Under Chapter 1009, Statutes of 2002* (August). A

report on the number of services of process billed to the courts under the Budget Act of 2003 and the costs of these services, plus information on any agreements reached with local law enforcement to provide this service free of charge or at a reduced rate. The documents being served by law enforcement are specific types of orders and/or injunctions in certain civil and domestic violence cases. [www.courtinfo.ca.gov/courtadmin/jc/documents/reports/0804item1.pdf](http://www.courtinfo.ca.gov/courtadmin/jc/documents/reports/0804item1.pdf)



## TRENDS IN COURT WORKLOAD

Total statewide court system filings increased slightly in fiscal year 2003–2004. Trial court filings rose by 250,000 to a statewide total of 8.8 million, an increase of about 3 percent over the previous fiscal year. Court of Appeal filings of records of appeal grew by over 6 percent during fiscal year 2003–2004 to approximately 14,300, while total contested matters, which include original proceedings, increased by 4 percent over the previous year to over 22,824. Total filings in the Supreme Court in fiscal year 2003–2004 declined by 3 percent to 8,564.

Statewide dispositions in the trial courts were relatively stable during fiscal year 2003–2004, growing by less than 1 percent, or 10,000 dispositions, over the previous fiscal year. Dispositions in the Courts of Appeal declined by less than 1 percent, from 25,175 to 24,952. In

the Supreme Court, dispositions declined slightly, from 8,652 to 8,565, about 1 percent.

For a variety of reasons, the aggregate trend for trial court filings and dispositions may not provide an accurate picture of the courts' workload. While the current growth



in filings was driven by increases in certain case types, other types of filings were marked by decreases or relative stability. For example, filings for the other civil complaints category increased by 1 percent, nontraffic misdemeanors by 2 percent, and traffic misdemeanors and traffic infractions by 4 percent and 5 percent, respectively. On the other hand, a decrease of approximately 10 percent occurred in both general civil and small claims<sup>1</sup> filings during fiscal year 2003–2004, with probate case filings remaining relatively stable during this period. Case dispositions revealed similarly varied patterns for different case categories.

It is also impossible to evaluate statewide filings trends without considering the influence of the largest trial court in the state, the Superior Court of Los Angeles County. Overall, about 3 of every 10 cases in California are filed in Los Angeles County. Because superior court filings in Los Angeles make up such a large proportion of total state filings, changes in that court's filings may be a major contributor to statewide trends, yet not reflect trends in other parts of the state. For example, the Superior Court of Los Angeles County experienced a 13 percent decline in "civil unlimited" filings from fiscal year 2002–2003 to 2003–2004, which accounts for approximately 22 percent of the decline in these filings statewide. However, in a number of counties, unlimited civil filings are actually rising.

## Measuring the Workload of the Courts

Since the advent of state funding of the trial courts, the Judicial Council and Administrative Office of the Courts have sought to equalize access to the courts across the state. Indeed, one of the principal rationales of state funding was to eliminate disparities that existed in the level of services provided from one court to another.

In the words of Assembly Bill 233, the Lockyer-Isenberg Trial Court Funding Act, state funding "is necessary to provide uniform

standards and procedures, economies of scale, and structural efficiency and simplification." "Structural improvement," in turn, "will provide for an improved court system, a uniform and equitable court system and will, therefore, increase access to justice for the citizens of the State of California."

Providing a more uniform and equitable court system, however, requires the accurate measurement of the amount of work involved in case processing. Without some standard measures of workload, it would be virtually impossible even to measure the resources needed in different courts, let alone to begin equalizing those resources.

## Update of the California Judicial Workload Assessment

In August 2004, the Judicial Council approved an [update](#) to the 2001 report on the need for judicial officers. The 2001 report described a new methodology for evaluating the need for judicial officers. Research conducted by the National Center for State Courts (NCSC) using this methodology showed a shortfall of approximately 360 judicial officers statewide.

Because different types of filings require different amounts of attention, measuring the work of judicial officers requires a conversion of filings into workload. For example, the average traffic filing requires relatively little time to process whereas the average juvenile dependency filing requires considerable time and multiple hearings to process. The NCSC conducted an intensive time study, recording the time spent by over 300 judicial officers over two months across 19 different case types to create case weights allowing for the conversion of filings data into measures of workload.

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<sup>1</sup>Civil cases in California currently are separated into three broad categories: small claims cases, limited civil cases (formerly municipal court cases), and unlimited civil cases (traditional superior court cases). With some exceptions and qualifications, the jurisdictional limit is \$5,000 for a small claims case and \$25,000 for a limited civil case. Unlimited civil cases involve disputes where the amount in controversy is more than \$25,000 and all other civil filings.

The update to the 2001 study found the number of judicial officers needed in the state courts has remained virtually unchanged over the three years since the original study. The judicial branch still faces a shortfall of approximately 360 judicial officers statewide with the most dire need in the rapidly growing Inland Empire—Riverside and San Bernardino Counties—and in the Central Valley—Fresno, Sacramento, and San Joaquin Counties.

Based on the updated report, the Judicial Council directed AOC staff to take the appropriate action to seek legislative authority and funding for 150 new judgeships over the next three years. Though this number is less than half of the total number of judges needed, the Judicial Council agreed that the state's fiscal challenges made it necessary to limit the request for new judgeships to only those judicial positions that are most critically needed.

Legislation proposed by Senator Joseph Dunn has now been introduced to create new judgeships. If the Legislature adopts the plan approved by the Judicial Council, 27 of the 58 superior courts would receive at least one new judgeship over the next three years.

## National Center Develops Resource Allocation Study

The amount of work required for case processing by court staff is not identical to that of judicial officers. Court staff provide a wide range of services outside of the courtroom, many of which contribute to the speedy and just resolution of disputes. The work of clerks, case managers, mediators, family law facilitators, and even trial court administrators needs to be measured in a way that will allow for more equitable allocation of funding across courts.

In some ways measuring the work of court staff is more challenging than measuring the work of judges because staff workload encompasses the entire range of court functions, not just the single function of a judicial officer. As with the study of judicial officers, the place to start is with the establishment of a baseline to measure how much time courts currently spend on case processing.

Once again, consultants from the National Center for State Courts have guided this process. Beginning with a time study in nine pilot courts, NCSC staff established a limited, workable range of case types to measure and

In the Superior Court of Orange County, office assistant Maricarmen Flores transports the day's case records to the main courthouse's basement for storage. More than 800,000 active criminal and civil case files are stored at three off-site locations nearby.



divided the work of the court into a range of specific functions. Over 3,000 staff in the nine pilot courts—representing the gamut of geographical, size, and population variations in the state—participated in the time study conducted in the fall of 2003.

Drawing on data collected from the time study, financial and personnel data reported

by the courts, and input from follow-up focus groups with court staff, the NCSC has developed a model for evaluating the workload of staff in the trial courts. The model uses 15 separate filings weights to build an estimate of how many staff the courts use in case processing. These weights will assist the Judicial Council/AOC in evaluating where resources are most needed.

#### TRIAL COURT FILINGS BY CASE TYPE

*Fiscal Year 2003–2004*

	NUMBER OF FILINGS	PERCENTAGE OF TOTAL FILINGS
Motor Vehicle .....	32,931	0.37
Other Personal Injury/Property Damage/Wrongful Death .....	24,915	0.28
Other Civil Complaints .....	119,006	1.35
Appeals .....	4,133	0.05
Habeas Corpus .....	8,869	0.10
<b>General Civil .....</b>	<b>189,854</b>	<b>2.15</b>
Limited Civil .....	504,278	5.72
Small Claims .....	282,425	3.20
<b>Limited Civil .....</b>	<b>786,703</b>	<b>8.92</b>
Family Law .....	150,180	1.70
Juvenile Delinquency .....	90,869	1.03
Juvenile Dependency .....	37,064	0.42
Mental Health .....	12,201	0.14
Probate .....	50,762	0.58
Civil Petitions .....	315,849	3.58
<b>Family and Juvenile .....</b>	<b>656,925</b>	<b>7.45</b>
Felonies .....	261,832	2.97
Nontraffic Misdemeanors .....	532,556	6.04
Traffic Misdemeanors .....	725,584	8.22
<b>Felonies and Misdemeanors .....</b>	<b>1,519,972</b>	<b>17.23</b>
Nontraffic Infractions .....	290,261	3.29
Traffic Infractions .....	5,379,350	60.97
<b>Infractions .....</b>	<b>5,669,611</b>	<b>64.26</b>
<b>Statewide Total .....</b>	<b>8,823,065</b>	<b>100.01</b>

## Retired Judges Provide Critical Assistance

Workload in the courts fluctuates from day to day even though the resources available to manage that workload change very slowly, usually as a result of the budget process. One of the most critical resources of a court—indeed, the resource that practically defines the court—is the judge. When courts have insufficient numbers of judicial officers to arraign defendants, hear child custody matters, or resolve civil disputes, justice is delayed.

In addition to the structural shortage of judicial officers, judges may be in short supply for a variety of other reasons. Judicial vacancies, illness, disqualification, or the need for judges to attend training or see to their administrative duties can all leave a court with a temporary shortage of judges.

To assist the courts in managing both long- and short-term deficiencies in the number of judicial officers, the Chief Justice may provide for the temporary assignment of any judge to a court. Assisted in administering the [Assigned Judges Program](#) by staff at the Administrative Office of the Courts, the Chief Justice makes

temporary judicial assignment orders for active and retired judges under the authority of article VI, section 6 of the California Constitution, which states that the Chief Justice “shall seek to expedite judicial business and to equalize the work of the judges.”

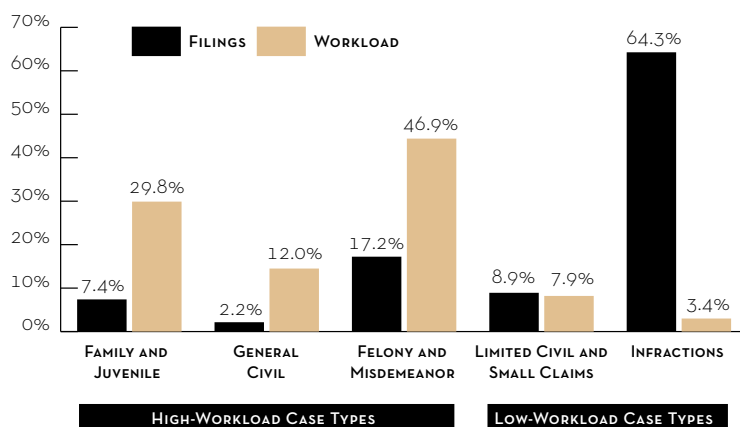
Using criteria established by the Chief Justice, the Judicial Assignments Unit of the AOC Appellate and Trial Court Judicial Services Division gives highest priority to courts that are at risk of dismissing criminal cases, followed by courts with the most vacancies and disqualification matters. Small courts have priority over large courts because large courts have more flexibility to reallocate existing judicial resources. Though assignments are generally granted for up to 60 days, the Chief Justice can renew an assignment at the request of the presiding judge or justice of the court using the assigned judge.

In fiscal year 2003–2004, retired judges in the program provided 27,288 days of assistance, generated by 2,690 assignments. An additional 337 individual assignments of active judges were made to fill in for vacancies in neighboring courts.

## TRANSLATING TRIAL COURT FILINGS INTO JUDICIAL OFFICER WORKLOAD

*Fiscal Year 2003–2004*

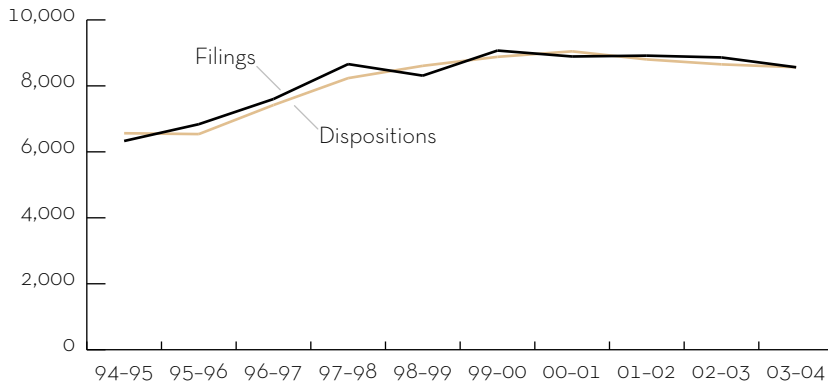
*Filings and workload of each case type presented as a percentage of total*



For an accurate understanding of judicial workload, filings must be considered together with an analysis of case types. For example, although family and juvenile cases represent 7.4 percent of total filings, they account for nearly one-third of the trial courts' judicial workload based on workload standards adopted by the Judicial Council. Conversely, infraction filings make up almost two-thirds of total trial court filings, but represent only 3.4 percent of overall judicial workload.

### TOTAL SUPREME COURT FILINGS AND DISPOSITIONS

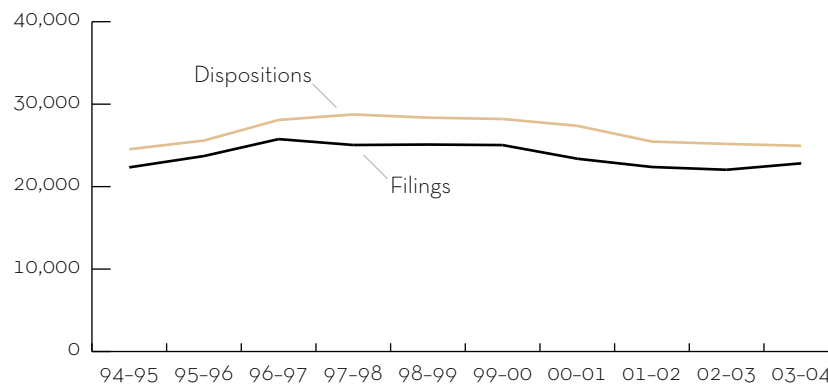
1994-1995 to 2003-2004



In fiscal year 2003-2004, Supreme Court filings decreased from 8,862 in the previous year to 8,564, while dispositions declined from 8,652 to 8,565. The court filed opinions in a total of 108 cases. Petitions for review from original criminal proceedings declined to 2,980 from 3,093 in the previous year. Original habeas petitions also fell slightly, from 2,752 to 2,748, over this same period.

### TOTAL COURTS OF APPEAL FILINGS AND DISPOSITIONS

1994-1995 to 2003-2004

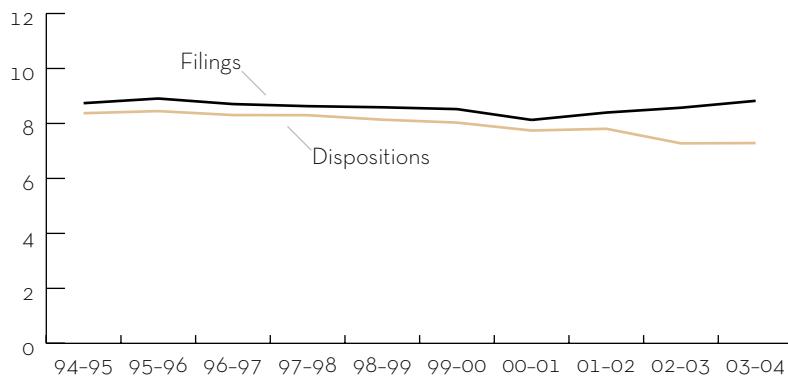


Courts of Appeal filings increased to 22,824 in fiscal year 2003-2004, a growth of about 4 percent over the previous year and the first significant increase in seven years. Dispositions declined from 25,175 to 24,952. Dispositions by written opinion totaled 11,992, down from 12,543 the previous year.

### TOTAL TRIAL COURT FILINGS AND DISPOSITIONS

1994-1995 to 2003-2004

In millions



Trial court filings increased to 8.8 million in fiscal year 2003-2004, reaching levels not seen since 1995-1996. Since fiscal year 2001-2002, trial court filings have been increasing steadily, growing by approximately 2 to 3 percent every year. Trial court dispositions in fiscal year 2003-2004 rose only slightly to 7.2 million, an increase of less than one-fifth of 1 percent from the previous year.

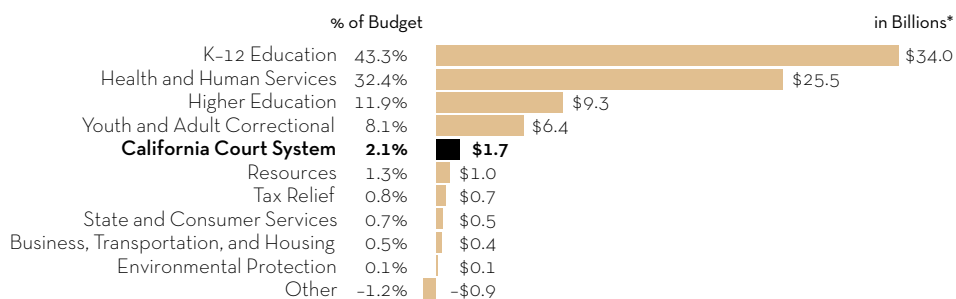


## JUDICIAL BRANCH RESOURCES

The last several years have been a challenging period for the courts as we have continued to make progress in developing a statewide infrastructure while striving to provide the public with equal access to justice during a severe state recession and fiscal crisis.

Working together, judicial branch leaders have been largely successful in averting many problems that have befallen various state agencies and departments, as well as court systems of other states. Strong, prudent budget management by local courts has played an important

### HOW DOES SPENDING FOR CALIFORNIA'S COURT SYSTEM COMPARE WITH OTHER BUDGET CATEGORIES?



\*General Fund expenditures

Source: Department of Finance, State Budget Highlights 2004-2005 (08/30/04).

role in minimizing adverse consequences for the public and resulted in continued open access to courts during difficult times.

In 2004, budget trailer bill legislation was passed that set the stage for a significant change in trial court funding. Enacted to further safeguard the public's access to the courts, Senate Bill 1102 contained language intended to partially address the need for stable and predictable trial court funding and the need to protect the courts' base budget from erosion. This provision recognizes the independence of the judicial branch and will allow for an adjustment to trial court funding in a manner similar to the way funding for the Legislature, also an independent branch of government, is treated. An annual adjustment to the trial courts' budget will be based on the percentage change in the annual state appropriations limit (SAL), which has averaged approximately 5 percent over the last 10 years. SAL is a growth formula that takes into account variables such as growth in population, average daily attendance in public schools, inflation, and changes in per capita income. The annual SAL adjustment rate will address inflationary effects on court budgets as well as provide funding for workload growth.

Over the past several years, however, many courts have been forced to absorb unfunded operating cost increases (e.g., increased security charges, some county charges, increases in employee retirements costs passed on by counties, unfunded salary and benefit increases). Because the growth in trial court budgets will be calculated on the current base budget for these courts, the Judicial Council has strongly advocated for a permanent adjustment to the courts' base budget to address some of these unfunded costs.

Aside from the base-resource issue, though, the passage of SB 1102 is expected to result in major improvements to the way trial court funding is adjusted from one fiscal year to the next and to further enhance public access to a fair and impartial justice system.

## HOW WAS THE JUDICIAL BRANCH FUNDED IN FISCAL YEAR 2004-2005?

*In millions of dollars, from all sources*

Statewide Judicial Programs:	
Supreme Court	38
Courts of Appeal	173
Judicial Council / AOC	164*
Judicial Branch Facility Program	30
Habeas Corpus Resource Center	11
<b>Total—Statewide Judicial Programs</b>	<b>416</b>
Trial Courts:	
General Fund	1,263
Trial Court Trust Fund	1,008
Trial Court Improvement Fund	133
Modernization Fund	34
<b>Total—Trial Courts</b>	<b>2,438</b>
<b>Judicial Branch Total</b>	<b>2,854</b>
<b>Total State Budget</b>	<b>159,060</b>

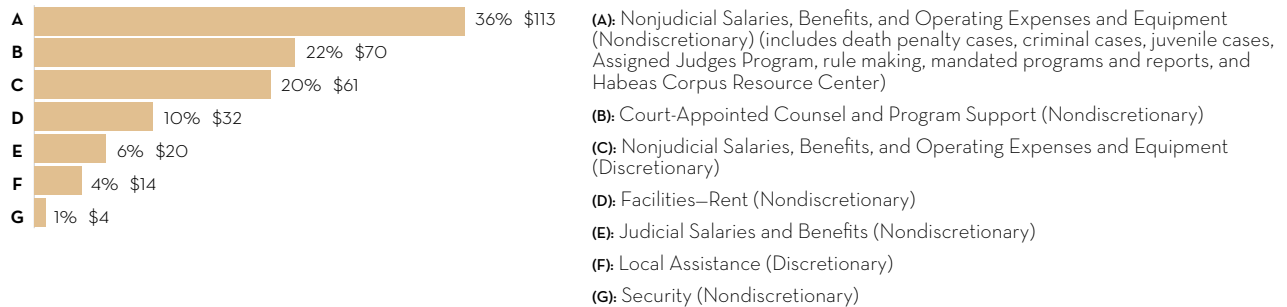
*Notes:*

Figures represent budgets, not actual expenditures.

\*Included within this amount is \$63.31 million in "pass-through" funding to the trial courts.

## WHAT DID THE GENERAL FUND CONTRIBUTE TO THE APPELLATE AND JUDICIAL ADMINISTRATION BUDGET IN FISCAL YEAR 2003-2004?\*

*This includes the Supreme Court, the Courts of Appeal, the Judicial Council/AOC, and the Habeas Corpus Resource Center. Dollars in millions.\**

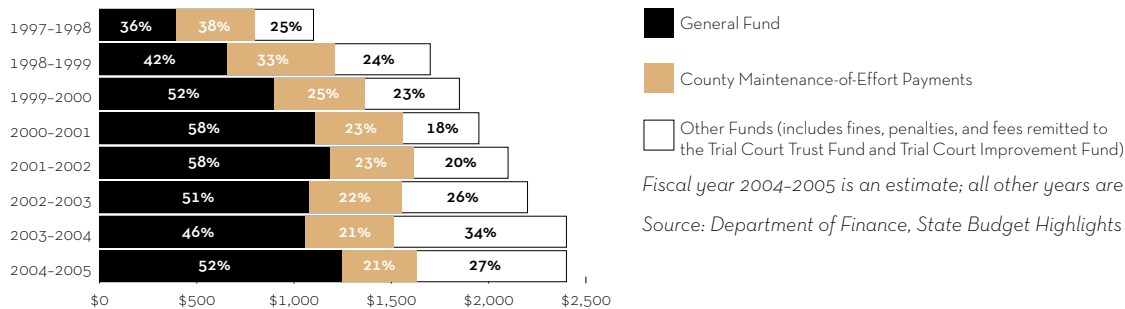


\* The sum of all percentages may not equal 100% due to rounding.

\* Dollar amounts rounded to the nearest million.

## HOW HAVE TRIAL COURT EXPENDITURES BEEN FUNDED?\*

*Fiscal years 1997-1998 through 2004-2005  
Dollars in millions*



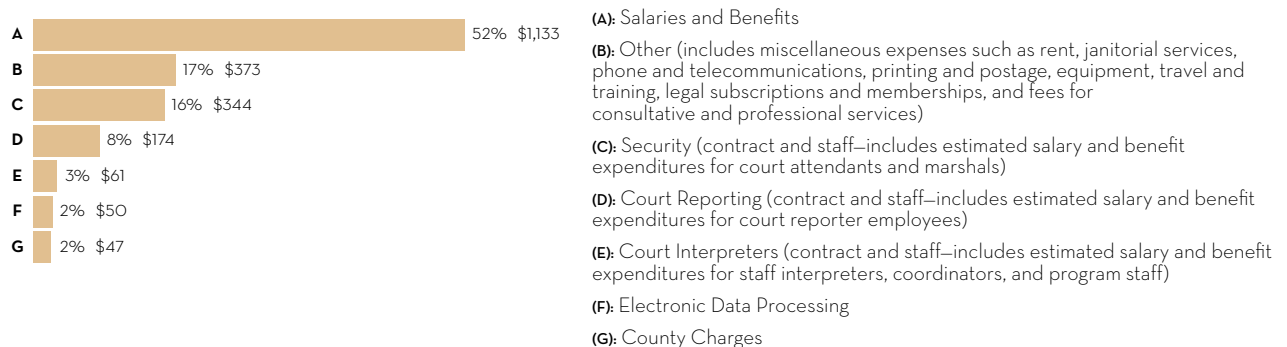
*Fiscal year 2004-2005 is an estimate; all other years are actual.*

*Source: Department of Finance, State Budget Highlights 2004-2005 (08/30/04).*

\* The sum of all percentages may not equal 100% due to rounding.

## HOW WAS THE TRIAL COURTS' BUDGET SPENT IN FISCAL YEAR 2003-2004?

*Includes Trial Court Trust Fund (TCTF) and non-TCTF expenditures. Dollars in millions\**



\* Dollar amounts rounded to the nearest million.

# STAFFING\* AND EXPENDITURES\*\* BY TRIAL COURT SYSTEM

This table reflects the allocation of resources and utilization of funding for fiscal year 2003-2004. With important structural changes to the courts' budget process now implemented, a primary objective of the Judicial Council will be to equalize funding and resources among the courts by basing future allocations on each court's needs. The first step will occur in fiscal year 2005-2006 with the implementation of the state appropriations limit adjustment rate to the trial courts' budget. This will be followed by the addition of new judgeships and the reallocation and upgrade of subordinate judicial officer positions to judgeships where appropriate.

\*FY 2003-2004 Total Authorized FTEs (as of July 1, 2004); data includes permanent and temporary nonjudicial employees, both Trial Court Trust Fund (TCTF) and non-TCTF court employees.

\*\*Combined Trial Court Trust Fund (TCTF) and non-TCTF expenditures. Data from FY 2003-2004 Quarterly Financial Statements (fourth quarter); includes Trial Court Improvement Fund and Judicial Administration Efficiency and Modernization Fund expenditures.

COURT	POPULATION	JUDGESHIPS	SJOs	AUTHORIZED FTEs (w/out SJOs)	FILINGS	EXPENDITURES
Alameda	1,554,501	69	16	903	406,275	101,921,716
Alpine	1,344	2	0	6	(i) 189	633,507
Amador	36,374	2	0.3	35	10,855	3,023,418
Butte	229,893	10	2	127	46,543	12,181,238
Calaveras	47,295	2	0.3	29	9,656	2,339,719
Colusa	25,136	2	1.7	13	(i) 103	1,323,685
Contra Costa	973,274	33	12	404	200,745	51,553,355
Del Norte	33,744	2	0.8	30	(i) 7,435	2,303,884
El Dorado	185,579	6	3	94	35,880	8,050,626
Fresno	868,376	36	9	466	248,357	41,510,682
Glenn	33,265	2	0.3	21	14,496	2,196,214
Humboldt	131,551	7	1	86	(i) 28,351	7,118,701
Imperial	181,209	9	1.8	96	N/A	7,968,192
Inyo	18,765	2	0	19	16,581	2,221,571
Kern	747,596	33	8	410	236,528	41,228,946
Kings	137,544	7	1.5	83	30,578	6,595,615
Lake	67,857	4	0.8	37	(i) 9,103	3,233,330
Lassen	39,136	2	0.3	21	13,456	2,410,204
Los Angeles	10,164,810	429	154	5,029	2,680,912	672,843,848
Madera	145,010	7	0.3	82	37,558	5,482,732

COURT	POPULATION	JUDGESHIPS	SJOs	AUTHORIZED FTEs (w/out SJOs)	FILINGS	EXPENDITURES
Marin	253,089	10	4.5	162	61,741	16,873,118
Mariposa	18,495	2	0.1	12	(i) 2,640	966,652
Mendocino	96,542	8	0.3	79	25,161	7,805,854
Merced	234,405	6	3.6	113	69,775	10,696,032
Modoc	10,899	2	0	9	(i) 40	688,302
Mono	11,569	2	0.1	17	7,142	1,299,678
Monterey	432,825	18	2.6	197	74,864	15,886,802
Napa	134,498	6	2	91	28,055	9,738,390
Nevada	107,301	6	0.4	68	25,797	6,124,352
Orange	2,984,977	109	34	1,604	700,873	169,556,106
Placer	279,003	9	4	128	79,987	12,861,046
Plumas	21,456	2	0.3	16	7,059	2,078,237
Riverside	1,791,411	49	20	804	441,116	87,695,354
Sacramento	1,305,875	52	14	813	351,912	87,019,887
San Benito	58,670	2	0.5	32	(i) 9,039	2,683,944
San Bernardino	1,906,800	63	11	929	464,984	86,779,791
San Diego	3,171,190	128	26	1,636	658,356	189,595,975
San Francisco	795,186	50	15	543	132,334	84,569,242
San Joaquin	634,861	26	4	304	157,531	28,793,927
San Luis Obispo	283,400	11	4	149	63,350	14,425,274
San Mateo	785,237	26	7	364	177,358	44,469,453
Santa Barbara	432,891	19	5	281	108,706	24,991,771
Santa Clara	1,886,646	79	10	804	374,205	109,490,526
Santa Cruz	278,329	10	3.5	141	60,900	14,627,155
Shasta	191,922	9	2	168	55,148	11,812,101
Sierra	3,496	2	0.3	6	1,567	894,313
Siskiyou	46,861	4	1	61	24,467	4,518,376
Solano	432,685	16	6	228	111,511	23,020,522
Sonoma	496,056	16	5	206	100,099	26,827,663
Stanislaus	511,244	17	4	208	25,364	18,694,457
Sutter	89,892	5	0.3	66	22,508	4,758,052
Tehama	61,461	4	0.3	46	23,253	3,700,682

COURT	POPULATION	JUDGESHIPS	SJOs	AUTHORIZED FTEs (w/out SJOs)	FILINGS	EXPENDITURES
Trinity	13,999	2	0.3	14	N/A	1,248,328
Tulare	415,670	16	5	216	82,343	18,991,527
Tuolumne	61,446	4	0.3	40	1,354	3,486,585
Ventura	792,497	28	4	370	200,340	43,394,387
Yolo	176,976	9	3.4	108	41,425	10,313,983
Yuba	67,888	5	0.3	51	17,160	4,545,859
<b>Statewide</b>	<b>36,899,907</b>	<b>1,498</b>	<b>417</b>	<b>19,072</b>	<b>8,823,065</b>	<b>\$2,182,064,886</b>

*Data Sources:* Department of Finance for total population in 2004; Judicial Branch Statistical Information System (JBSIS) for numbers of subordinate judicial officers (SJOs) in FY 2002–2003 (latest data available); Judicial Council of California, *2005 Court Statistics Report* (2005), superior courts table 1, for total filings; and authorized FTEs from AOC Schedule 7A, *Salary and Position Worksheet* for fiscal year 2004–2005.

*Note:* N/A = not applicable; (i) = incomplete.

## California Judicial Branch

The California court system, with more than 2,000 judicial officers, more than 19,000 court employees, and more than 8 million cases in over 451 court locations, and a 2003–2004 budget of \$2.6 billion, serves over 36 million people—12.2 percent of the total U.S. population.

### THE COURTS

#### California Supreme Court

Hears oral arguments in San Francisco, Los Angeles, and Sacramento;

- Discretionary authority to review decisions of the Courts of Appeal; direct responsibility for automatic appeals after death penalty judgment ([www.courtinfo.ca.gov/courts/supreme/about.htm](http://www.courtinfo.ca.gov/courts/supreme/about.htm)).

#### Courts of Appeal

- Six districts, 19 divisions, 9 court locations;
- Reviews the majority of appealable orders or judgments from superior court ([www.courtinfo.ca.gov/courts/courtsofappeal/about.htm](http://www.courtinfo.ca.gov/courts/courtsofappeal/about.htm)).

#### Superior Courts

- 58 courts, one in each county, with from 1 to 55 branches;
- State and local laws define crimes and specify punishments, and define civil duties and liabilities ([www.courtinfo.ca.gov/courts/trial/about.htm](http://www.courtinfo.ca.gov/courts/trial/about.htm)).

### BRANCH AND ADMINISTRATION POLICY

#### Judicial Council of California

##### Administrative Office of the Courts

The Judicial Council is the constitutionally created 27-member policymaking body of the California courts; its staff agency is the Administrative Office of the Courts ([www.courtinfo.ca.gov/courtadmin/jc/](http://www.courtinfo.ca.gov/courtadmin/jc/)).

### BRANCH AGENCIES

#### Commission on Judicial

##### Appointments

Confirms gubernatorial appointments to the Supreme Court and appellate courts ([www.courtinfo.ca.gov/courtadmin/otheragencies.htm](http://www.courtinfo.ca.gov/courtadmin/otheragencies.htm)).

#### Commission on Judicial

##### Performance

Responsible for the censure, removal, retirement, or private admonishment of judges and commissioners. Decisions subject to review by California Supreme Court ([www.cjp.ca.gov/](http://www.cjp.ca.gov/)).

#### Habeas Corpus Resource Center

Handles state and federal habeas corpus proceedings; provides training, support for private attorneys who take these cases ([www.courtinfo.ca.gov/about/abouthcrc.htm](http://www.courtinfo.ca.gov/about/abouthcrc.htm)).

### RELATED ORGANIZATION

#### State Bar of California

Serves the Supreme Court in administrative and disciplinary matters related to attorneys ([www.calbar.ca.gov](http://www.calbar.ca.gov)).

## Mission and Goals of the Judicial Council of California

Under the leadership of the Chief Justice and in accordance with the California Constitution, the law, and the mission of the judiciary, the Judicial Council shall be responsible for setting the direction and providing the leadership for improving the quality and advancing the consistent, independent, impartial, and accessible administration of justice.

The council's mission is carried out by pursuing these six strategic goals:

### **GOAL I:**

#### **ACCESS, FAIRNESS, AND DIVERSITY**

All Californians will have equal access to the courts and equal ability to participate in court proceedings, and will be treated in a fair and just manner. Members of the judicial branch community will reflect the rich diversity of the state's residents.

### **GOAL II:**

#### **INDEPENDENCE AND ACCOUNTABILITY**

The judiciary will be an institutionally independent, coequal branch of government that responsibly seeks, uses, and accounts for public resources necessary for its support. The independence of judicial decision making will be protected.

### **GOAL III:**

#### **MODERNIZATION OF MANAGEMENT AND ADMINISTRATION**

Justice will be administered in a timely, efficient, and effective manner that utilizes contemporary management practices; innovative ideas; highly competent judges, other judicial officers, and staff; and adequate facilities.

### **GOAL IV:**

#### **QUALITY OF JUSTICE AND SERVICE TO THE PUBLIC**

Judicial branch services will be responsive to the needs of the public and will enhance the public's understanding and use of and its confidence in the judiciary.

### **GOAL V:**

#### **EDUCATION**

The effectiveness of judges, court personnel, and other judicial branch staff will be enhanced through high-quality continuing education and professional development.

### **GOAL VI:**

#### **TECHNOLOGY**

Technology will enhance the quality of justice by improving the ability of the judicial branch to collect, process, analyze, and share information and by increasing the public's access to information about the judicial branch.

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